

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
APR 10 2007

[Signature]
CLERK

| | | |
|--------------------------------|---|---------------|
| EMPLOYERS MUTUAL CASUALTY |) | Civ. 06-4239 |
| COMPANY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | STIPULATION |
| SIoux EQUIPMENT CORPORATION, |) | FOR DISMISSAL |
| a South Dakota corporation; |) | |
| STATE OF SOUTH DAKOTA |) | |
| PETROLEUM RELEASE COMPENSATION |) | |
| FUND; AMERON INTERNATIONAL |) | |
| CORPORATION, WILLISTON, INC., |) | |
| and MID-CONTINENT CASUALTY |) | |
| COMPANY, |) | |
| Defendants. |) | |

Judith K. Grunewaldt, and the Tieszen Law Office, counsel for Defendant State of South Dakota Petroleum Release Compensation Fund, stipulates and agrees the Court may enter its Judgment of Dismissal, dismissing this action without prejudice of Plaintiff's right to initiate the case in Circuit Court, State of South Dakota.

The Judgment of Dismissal may also provide that no costs are awarded to any party and may be entered in the form attached hereto.

Dated this 15th day of March, 2007.

TIESZEN LAW OFFICE

By

[Signature]
Judith K. Grunewaldt
P.O. Box 550
Pierre, SD 57501
(605) 224-1500